

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RYAN BIGOSKI-ODOM,
Plaintiff,
v.
JAMES FIRMAN, et al.,
Defendants.

No. 2:12-CV-0197-KJM-CMK-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided by Eastern District of California local rules.

On September 8, 2017, the Magistrate Judge filed findings and recommendations, which were served on the parties and which contained notice that the parties may file objections within a specified time. Timely objections to the findings and recommendations have been filed.

The court finds, after careful review, the findings and recommendations are neither sufficiently explained nor sufficiently supported by the record or case law for this court to determine if the proposed determination is correct as a matter of law. Accordingly, the court **DECLINES** to adopt the findings and recommendations and instead **REMANDS** the matter to the magistrate judge for the preparation of a new document that fully explains his findings and

1 recommendations and the reasons therefor. The parties shall have a new opportunity to file
2 objections to those findings and recommendations once they are filed.

3 IT IS SO ORDERED.

4 This order resolves ECF No. 53.

5 DATED: September 29, 2017.

6 
7 _____
8 UNITED STATES DISTRICT JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28